

In re Application of:

TADAHIRO OHMI, ET AL.

Application No.: 09/494,945

Filed: February 1, 2000

For: LASER OSCILLATING APPARATUS,
EXPOSURE APPARATUS USING THE
SAME, AND DEVICE FABRICATION
METHOD

Docket No. 00862.021811

Examiner: D. Flores Ruiz

Group Art Unit: 2828

Date: June 24, 2003

MAIL STOP AF
THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Amendment After Final Rejection in the above-identified application.

An additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	96	MINUS	108	0	x \$9 \$18	0.00
INDEP. CLAIMS	12	MINUS	11	1	x \$42 \$84	84.00
Fee for Multiple Dependent claims \$140°/\$280						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$84.00

°Verified Statement claiming small entity status is enclosed, if not filed previously.



Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date 6/24/03
Mo. Day Yr.

Atty. Docket 00862-021811
Application No. 09/494,945

Sir:

Kindly acknowledge receipt of the accompanying:

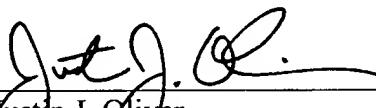
- Response to Official Action. March 24, 2003
 Check for \$ 84.00 (claims fee)
 Petition under 37 CFR 1.136 and Check for \$ _____
 Notice of Appeal and Check for \$ _____
 Information Disclosure Statement, PTO-1449 and _____ documents
 Claim for priority and certified copies of _____ priority applications
 Issue fee transmittal and Check for \$ _____
 Other (specify) transmittal

by placing your receiving date stamp hereon and returning to deliverer.

FHSD-D-80

Atty. JJO/tmo Due Date 6/24/03
Mo. Day Yr.

- A check in the amount of \$ 84.00 is enclosed.
- Charge \$ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- A check in the amount of \$ to cover the fee for a month extension is enclosed.
- A check in the amount of \$ to cover the Information Disclosure Statement fee is enclosed.
- Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.



Justin J. Oliver
Attorney for Applicants
Reg. No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

JJO/tmm
DC_MAIN 136521 v 1



UNITED STATES PATENT AND TRADEMARK OFFICE

[Home](#) [Index](#) [Search](#) [System Alerts](#) [eBusiness Center](#) [News & Notices](#) [Contact Us](#)

Amendments in a Revised Format Now Permitted

Office of Patent Legal Administration << Pre-OG Notices << << Amendments in a Revised Format Now Permitted

The United States Patent and Trademark Office (USPTO or Office) is permitting applicants to submit amendments in a revised format as set forth herein. The revised amendment format is essentially the same as the amendment format that the Office is considering adopting via a revision to 37 CFR 1.121 (Manner of Making Amendments). The revision to 37 CFR 1.121 (if adopted) will simplify amendment submission and improve file management. The Office plans to adopt such a revision to 37 CFR 1.121 by July of 2003, at which point compliance with revised 37 CFR 1.121 will be mandatory.

The revised amendment format is an expansion of the special amendment process instituted for a prototype Electronic File Wrapper program described in USPTO ANNOUNCES PROTOTYPE OF IMAGE PROCESSING, 1265 Off. Gaz. Pat. Office 87 (Dec. 17, 2002) ("Prototype Announcement"). The special amendment process (which was limited to claims) has proven overwhelmingly acceptable to applicants participating in the prototype and beneficial to examiners. The revised amendment format provides for amendments to be made to the specification and the drawings in addition to the claims.

Effective immediately, all applicants, including applicants participating in the prototype, may submit amendments using the revised amendment format set forth herein. Applicants may wish to submit all amendments in the revised amendment format because: (1) it will facilitate transition to a revised amendment format when it becomes mandatory, (2) inconsistent versions of claim amendments (clean and marked-up) will be avoided, and (3) time and resources will be saved.

WAIVER of 37 CFR 1.121

The provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments to the claims, specification, and drawings in all applications in all Technology Centers where the amendments comply with the revised amendment format detailed below. Note: The revised amendment format (and the waiver) does not apply to 37 CFR 1.121(h) and (i) which indicate that amendments to reissue applications and reexamination proceedings are governed by 37 CFR 1.173 for reissue applications and 37 CFR 1.530 (d)-(k) for ex parte and inter partes reexaminations.

In addition, the WAIVER indicated in the above mentioned Prototype Announcement for the limited (claims only) amendment process of that prototype is also expressly continued and amendments in applications (other than reissue applications) in all Technology Centers that comply with the requirements in that announcement will be acceptable.

REVISED AMENDMENT FORMAT

I. Begin Sections on Separate Sheets:

Each section of an amendment paper (e.g., Amendments to the Specification, Amendments to the Claims, Remarks) shall begin on a separate sheet to facilitate separate indexing and electronic scanning of the document.

For example, each of the following four sections of an amendment paper must start on a separate sheet:

- a.) Introductory Comments

- b.) Amendments to the Specification
- c.) Amendments to the Claims
- d.) Remarks

II. Submit Only One Version (with markings) of an Amended Part:

The requirement to provide two versions of a replacement paragraph, section, or claim (a clean version and a marked up version), as set forth in current 37 CFR 1.121, is waived where the format set forth below is followed.

III. Amendments to the Claims**A. A Complete Listing of Claims is Always Required:**

If an amendment adds, changes or deletes any claim, a detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remains under examination in the application, must be presented, and the amendment to the claims is expressed in the listing. The listing shall be presented as follows:

1. Ascending Order and Status Identifier Required

The listing shall be provided in sequential ascending numerical order (beginning with claim 1). A status identifier shall be provided for every claim in a parenthetical expression following the claim number (e.g., "Claim 1. (original)"). A list of acceptable status identifiers is set forth in part B, below. The text of all claims under examination shall be submitted each time any claim is amended. Cancelled and withdrawn claims should be indicated by only the claim number and status. The text of cancelled or withdrawn claims should not be presented.

2. Markings in Currently Amended Claims Required

All claims *being currently amended* shall be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The changes in any amended claim should be shown by strikethrough (for deleted matter) or underlining (for added matter). No separate "clean" version should be submitted for currently amended claims, as this requirement has been eliminated. **Markings should only be made in claims being currently amended in an amendment paper.**

3. Only Clean Text Required for Other Claims Under Examination.

The text of pending claims *not being currently amended* that are under examination shall be presented in a clean version in the listing. Any claim presented in clean version constitutes an assertion that it has not been changed relative to the immediate prior version.

4. Status to Effect Claim Cancellation or Addition.

A claim may be cancelled by merely indicating the status of the claim as cancelled. Any new claim added by amendment must be indicated by the appropriate status identifier and shall not be underlined. Thus, added new claims of status (new), (reinstated - formerly claim #_) and (re-presented - formerly dependent claim #_) must be presented in clean version. Additional claims may be subject to additional fees, as appropriate.

5. When Grouping of Claims is Permitted.

Consecutive cancelled or withdrawn claims may be aggregated into one line of the listing (e.g. Claims 1 - 5 (cancelled)).

6. Use "Currently Amended" Status Where Applicable.

If any "previously reinstated" or "previously re-presented" claim is being amended, the status shall be indicated as "currently amended" with markings as indicated in paragraph A2, above. Multiple status identifiers should not be used for any single claim.

B. Status Identifiers that May be Used:

In order to promote uniformity and consistency, only the following eleven (11) defined status identifiers should be used to indicate the status of the claims (in parentheses after the claim number):

- | | |
|--|---|
| 1. (Original): | Claim filed with the application following the specification (i.e., not added by preliminary amendment). |
| 2. (Currently amended): | Claim being amended in the current amendment paper. |
| 3. (Previously amended): | Claim not being currently amended, but which was amended in a previous amendment paper. |
| 4. (Cancelled): | Claim cancelled or deleted from the application. |
| 5. (Withdrawn): | Claim still in the application, but in a non-elected status. |
| 6. (Previously added): | Claim added in an earlier amendment paper. |
| 7. (New): | Claim being added in the current amendment paper. |
| 8. (Reinstated - formerly claim # _): | Claim deleted in an earlier amendment paper, but re-presented with a new claim number in current amendment. |
| 9. (Previously reinstated): | Claim deleted in an earlier amendment and reinstated in an earlier amendment paper. |
| 10. (Re-presented - formerly dependent claim # _): | Dependent claim re-presented in independent form in current amendment paper. |
| 11. (Previously re-presented): | Dependent claim re-presented in independent form in an earlier amendment, but not currently amended. |

C. Example of Listing of Claims:

- Claims 1-5 (cancelled)
- Claim 6 (withdrawn)
- Claim 7 (previously amended): A bucket with a handle.
- Claim 8 (currently amended): A bucket with a ~~green~~ blue handle.
- Claim 9 (withdrawn)
- Claim 10 (original): A bucket with a wooden handle.
- Claim 11 (cancelled)

Claim 12 (new): A bucket with plastic sides and bottom.

Claim 13 (previously added): A bucket having a circumferential upper lip.

Claim 14 (re-presented - formerly claim 11): A black bucket with a wooden handle.

IV. Amendments to the Specification

Amendments to the specification are to be made by presenting replacement paragraphs, sections or a substitute specification marked up to show changes made relative to the immediate prior version, as set out in 37 CFR 1.121(b). The changes should be shown by strikethrough (for deleted matter) or underlining (for added matter). No accompanying "clean" version shall be supplied. The amendments to the specification shall be presented only one time, and will not appear in successive amendment documents.

V. Amendments to the Drawings

Amendments to the drawing figures shall be made by presenting replacement figures which include the desired changes, without markings, and which comply with § 1.84. The changes shall be explained in the accompanying remarks section of the amendment paper. If the amended drawings are not approved, the applicant will be notified in the next Office action. Any amended drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure number in the amended drawing should not be labeled as "amended."

For further information on the prototype image electronic processing of patent applications, please contact the Search and Information Resources Administration at:
image.processing@uspto.gov. Any questions regarding the submission of amendments pursuant to the revised practice set forth in this notice should be directed to Elizabeth Dougherty (Elizabeth.Dougherty@uspto.gov), Gena Jones (Eugenia.Jones@uspto.gov) or Joe Narcavage (<mailto:Joseph.Narcavage@uspto.gov>). For information on the waiver or legal aspects of the program, please contact Jay Lucas (Jay.Lucas@uspto.gov) or Rob Clarke (Robert.Clarke@uspto.gov).

Date: 1/31/03

Signed: /s/

STEVEN KUNIN
Deputy Commissioner for Patent
Examination Policy

[HOME](#) | [INDEX](#) | [SEARCH](#) | [SYSTEM STATUS](#) | [BUSINESS CENTER](#) | [NEWS&NOTICES](#)
| [CONTACT US](#) | [PRIVACY STATEMENT](#)

Last Modified: 02/03/2003 10:23:23



00862.021811

#15/Amend C
Examiner
A700d
6/28/03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TADAHIRO OHMI, ET AL.)
Application No.: 09/494,945)
Filed: February 1, 2000)
For: LASER OSCILLATING APPARATUS,)
EXPOSURE APPARATUS USING)
THE SAME, AND DEVICE)
FABRICATION METHOD : June 24, 2003

Entered
P-18-03
DKing

MAIL STOP AF
THE COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUN 26 2003
TC 2800 MAIL ROOM

AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the final Official Action mailed March 24, 2003, the Examiner is respectfully requested to consider and enter the following amendments. The amendments are being presented in accordance with the Revised Format established by the U.S. Patent and Trademark Office, as permitted in the Pre-OG Notice entitled "Amendments in a Revised Format Now Permitted," a copy of which is attached.